

REMARKS

Claims 1-48 are pending. Applicants affirm the election of Group I, which includes claims 1-30 and 45. Claims 31-49 are cancelled herewith. Claims 1 and 16 are amended herewith. Accordingly, claims 1-30 are pending and under examination. Please consider the following remarks.

The present invention relates to articles (e.g., a touch fastener or interface tape) having a substrate that includes a yarn made from two fibers. The two fibers are made from different polymeric materials, and the first fiber predominates on a first side of the substrate and the second fiber predominates on a second side of the substrate. The term predominate is a comparative or relative term, meaning to be greater in number or amount (See e.g., Exhibit A, The New Oxford American Dictionary, Oxford University Press 2001. (Attached herewith)). The term “greater” requires a comparison of at least two elements (e.g., the mass of the earth is greater than the mass of the moon). Likewise, for a fiber to predominate on a surface of the substrate, as featured in the pending claims, two conditions must be met: (1) at least two fibers must be present on that surface, and (2) there must be a greater amount of one fiber than there is of another fiber. This concept is illustrated, for example, in Applicants' Fig. 1, warp yarns 16 and 18, in Applicants' Fig. 4 (warp yarns 50 and 52), and in Applicants' specification at p. 6, lines 2-10, and in the paragraph bridging pages 6 and 7.

Accordingly, the featured substrate provides an interface for the binding of two potentially incompatible polymers. For example, a first polymer can bind to the surface of the substrate predominated by the first fiber (i.e., where the first polymer is compatible with the first fiber) and a second polymer can bind to the surface of the substrate predominated by the second fiber (i.e., where the second polymer is compatible with the second fiber, but not with the first polymer), thereby bonding two incompatible polymers to a single article.

Claims 16-22, 24, and 27-30 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,659,930 to Okawa (“Okawa”). Okawa describes a fastener that includes a substrate made with yarns that are integrally connected together by connecting threads. Okawa does not teach or suggest a substrate in which a first yarn predominates one surface of the

substrate and a second yarn predominates another surface of the substrate, as featured in Applicants' claims. Referring to Figures 2, 3, and 4, Okawa does disclose a substrate having a first surface predominated by a first yarn (i.e., where a first yarn 10 predominates a second yarn 20). However, Okawa does not teach or suggest a substrate having a second surface predominated by a second yarn, as required by Applicants' claims. Instead, the second surface consists of only a single yarn (i.e., a second foundation yarn 20).

Thus, Okawa fails to teach or suggest Applicant's claimed invention featuring a substrate with a first surface predominated by a first yarn and a second surface predominated by a second yarn. Without such a teaching or suggestion, Okawa fails to anticipate the claims and Applicants respectfully request that the rejection be withdrawn.

Claims 1-10, 12-25, 27-30 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,710,414 to Northrup ("Northrup") in view of Okawa. Claims 11 and 26 are rejected as being unpatentable over or the combination of Northrup and Okawa further in view of U.S. Patent No. 5,500,269 to Billarant ("Billarant"). Claim 45 is cancelled herewith, rendering the rejection with respect to this claim moot. For the reasons discussed above, Applicants assert that Okawa fails to teach or suggest a substrate having a first and second yarn, where the first yarn predominates a first substrate surface and a second yarn predominates a second substrate surface.

Northrup fails to cure the deficiency of Okawa as Northrup fails teach or suggest a substrate having a first and second yarn, where the first yarn predominates a first substrate surface and a second yarn predominates a second substrate surface. The Examiner apparently acknowledges this, and Northrup is not relied on for such a teaching. (See e.g., Office Action, p. 5, lines 6-11.) Without such a teaching, the combination of Northrup with Okawa does not properly support a *prima facie* case of obviousness. Accordingly, Applicants request that the corresponding rejection be withdrawn.

Billarant discloses a touch fastener having a magnetically attractive material. Nowhere does Billarant teach or suggest a substrate having a first and second yarn, where the first yarn predominates a first substrate surface and a second yarn predominates a second substrate surface,

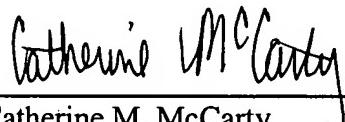
as recited in Applicants' pending claims. Because Billarant fails to provide the teaching missing from both Okawa and Northrup, Billarant does not cure the deficiency of the combination of Northrup with Okawa. Accordingly, Applicants assert that the combination of Okawa and Northrup with Billarant fails to support a *prima facie* case of obviousness, and Applicants request that the corresponding rejection be withdrawn.

None of the cited references, either alone or in combination, render the present invention obvious, as none of the references, either alone or in combination, teach a substrate in which a first yarn predominates a first substrate surface and a second yarn predominates a second substrate surface as recited in the pending claims. In view of the foregoing, Applicants submit that all of the pending claims are novel and unobvious, and asks that all of the pending claims be allowed.

Applicants believe that no fee is due. However, if Applicants have reached this conclusion in error, please apply any charges or credits to deposit account 06-1050, referencing attorney docket number 05918-220001.

Respectfully submitted,

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